

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

04 10550 WGY

JACQUELINE LASSITER,

Plaintiff,

v.

KIMBER ANDERSON, BRIAN GIBBS,  
AND FLEET BANK,

Defendant.

C.A. No.

MAGISTRATE JUDGE

Dein

RECEIPT #

54668

AMOUNT \$

150

SUMMONS ISSUED

N/A

LOCAL RULE 4.1

WAIVER FORM

MCF ISSUED

BY DPTY. CLK.

POW

DATE

3/18/04

**NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. §§ 1441(a), 1441(b) and 1446 and for the sole purpose of removing this matter to the United States District Court for the District of Massachusetts, Defendants Kimber Anderson, Brian Gibbs, and Fleet National Bank, incorrectly identified by Plaintiff as "Fleet Bank" ("Fleet" or "Defendants") state:

1. State Court Action.

Plaintiff Jacqueline Lassiter ("Plaintiff") filed this action against Defendants in the Superior Court of the Commonwealth of Massachusetts for Suffolk County, Civil Action No. 04-0613C, on or about February 11, 2004. Copies of the Complaint and any other pleadings served by Plaintiff are attached as Exhibit A.

2. Federal Jurisdiction.

Plaintiff has asserted a claim or claims against Defendants involving, inter alia 42 U.S.C. § 1981, 42 U.S.C. § 1985 and 42 U.S.C. § 1986. The Court has jurisdiction over these claims pursuant to 28 U.S.C. § 1331.

3. Timeliness of Notice of Removal.

Defendants acknowledged service of the Complaint on or about March 1, 2004. Removal of this action is, therefore, timely under 28 U.S.C. §1446(b).

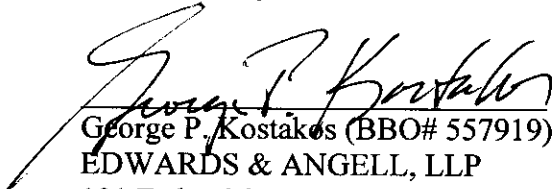
4. Relief Requested.

Defendant requests that the United States District Court for the District of Massachusetts assume jurisdiction over the above-captioned action and issue such further orders and processes as may be necessary to bring before it all parties necessary for the trial of this action. Certified copies of the entries in the Superior Court docket will be filed in connection with Defendants' Local Rule 81.1 Statement.

Dated: March 17, 2004

FLEET NATIONAL BANK

By its attorneys,

  
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